

Committee of the Whole
January 27, 2020
6:00 p.m.

Council members in attendance: Thaddeus Hoffmeister, Al Delgado, Zach Green, Jim O'Reilly, Sarah Stankorb Taylor, and Nancy Averett

Staff members in attendance: Rusty Herzog – Police Chief, Megan Statt Blake – Assistant Community Development Director, Lynn Tetley – City Manager, Terry Huxel – Public Works Director, Jeremiah Caudill – Finance Director, and Emily Supinger – City Solicitor

Others present: Brad Bonham, David Azar, Anita Guy, Ted Burgess, Monica Tuck, and Mike Hock

Village Green Capital Campaign

Ms. Tetley introduced Monica Tuck, who is leading the efforts of the Wyoming Recreation Foundation for event programming, building identified goals within the Foundation, and leading development efforts. Ms. Tuck has worked with Ms. Tetley to develop the core initiatives of the Wyoming Recreation Foundation which were developed from within the 2018 Wyoming Master Plan. Core initiatives include Diversity and Inclusion, Environmental Sustainability, Economic Development, Arts, Health and Wellness, Small Business Development, and Regional Development. Programs for 2020 will include Fire Up The Pike, World Food + Music Festival, Live on the Green, and Fitness on the Green. Ms. Tuck then outlined the plans for the development of the Village Green, including the current effort to fund the new performance pavilion. The long term plan for the space includes a small splash and spray area, the addition of trees and benches, and added landscaping. The performance pavilion will also have the ability to include solar panels and living walls, if funding allows. The total cost estimate for the pavilion is \$500,000 which includes all of the sustainable upgrades. On Wednesday, January 29, at 7:00 p.m. the Recreation Foundation is hosting a kick-off event for this fundraising effort. A variety of options to fund this pavilion exist. The City has engaged Matt Hughes to lead this capital campaign effort to raise the \$400,000 yet to be raised for this project. To date, the Recreation Foundation has secured \$50,000 from the City of Wyoming and \$53,000 in private donation commitments. Ms. Tetley asked if City Council had any concerns about releasing the larger concept to the community on Wednesday. The consensus of City Council was to show the larger concept as “future phases” to demonstrate what is possible in this location. The gazebo feature will be relocated to the south lawn of the Civic Center. Ms. Tuck is also leading efforts to secure funds for the sponsorship of the programming affiliated with the Recreation Foundation. This presentation will also be included in the next Word On Wyoming and will be released via social media. Matt Hughes will also be working on soliciting from the prospect list that was developed. The future performance pavilion will be used by not only the City, but the Schools, Wyoming Fine Arts Center, regional groups, etc.

Capital Improvement Project and Process Discussion

Mr. Hoffmeister stated that he added the capital project list to the COTW agenda so that each member begins to give thought to what projects they may wish to see developed into a CIP for future years. By planning ahead, members can bring projects up now via discussion at Committee of the Whole meetings and then allow staff the opportunity to perform a feasibility and cost analysis. The proposed playground at Crescent Park will need to be awarded by City Council. Because unexpected grant funds are possible for this project, it would make sense to amend the 2021 CIP to include this project. This can be done at any COTW meeting. Mr. Hoffmeister asked how he should bring forward a suggestion to fund \$100,000 in traffic calming improvements. Ms. Tetley said she believes the first step should be the specific identification of an issue or concern so staff can collect and evaluate the data to be sure there actually is a problem. Then the data would come back to City Council for review and additional discussion.

Gun Ordinance

Ms. Supinger summarized the reasons behind the recommended ordinance change regarding gun laws in the City. Recent changes by the state legislature requires that no local regulation can supersede current state law. As the current status of law in Ohio stands, the City of Wyoming must amend certain sections of local ordinances in order to not be in conflict with state law. There are communities in Ohio that are contesting the ability of the state to mandate this, however these have not been litigated at this point. Currently, the City could have exposure from a liability standpoint with the current ordinances in place. This potentially could allow suit against the City, which the City's liability insurer has said they will not cover. Of particular concern, a local ordinance cannot prevent the possession of a firearm in places explicitly allowed by state law. Ms. Supinger strongly recommends making the suggested ordinance changes now because the City has no ability to enforce the ordinance as it stands and would be subject to a claim and damages should the city be sued. In the event the Ohio Supreme Court does not uphold the state law, the ordinances could be changed back. However, it will be years before a decision is reached. Ms. Supinger stated that most local jurisdictions have adopted the necessary local changes and noted the potential exposure to the city could be hundreds of thousands of dollars. Mr. O'Reilly stated that he strongly opposes the state's action and will abstain from the vote on this. Ms. Supinger wrote the ordinance quite clearly in that the City did not desire these changes but recognized there was no legal alternative at this time. Mr. Delgado asked Ms. Supinger to very simply walk through the changes so that members of City Council can explain this to others. The City did not participate in joint "home rule challenge" litigation in this scenario because every city's laws are very unique. This law change would not allow CCW in city buildings because the state allows local jurisdictions to determine if they will allow CCW in public buildings. The law change will allow the carry of firearms in public places as defined by the state statute. Police Chief Herzog stated that Wyoming uses the state code for the enforcement of firearms laws, so the police department is currently enforcing the law as it exists at the state level. City Council can also determine whether to include a provision to allow the discharge of weapons in the defense

of property. The City must allow the discharge of weapons to protect a life. Mr. Delgado stated he would like to receive very simple talking points so that he can explain this to constituents. Ms. Averett would like the portion removed regarding the discharge of weapons to protect property but understands why the City needs to make this legislative change now. Mr. Green would like to keep the provision for the discharge for the protection of property. Ms. Stankorb Taylor does not want to keep the provision for the discharge for the protection of property. She also stated we need to very carefully and completely communicate this to the community and business owners. Mr. Hoffmeister stated that he does not know if he will vote for this and would like the ordinance as lean and restrictive as possible. He would also like to seek opportunities to restrict firearms in more places in the community as the state law will allow. The consensus of Council is to remove the provision for the protection of property. Police Chief Herzog noted that if an example of such an incident occurred in Wyoming, it would be referred to County court and not dealt with in Mayor's Court. Mike Hock recognized the difficult decision in front of City Council however, the notion of abstaining should not be an option because voting on issues such as this is exactly why Council members serve. Ms. Stankorb Taylor asked if there would be value in holding a public meeting on this topic. Ms. Supinger advised it would not be a good idea to promote the lack of action on this topic. Ms. Bonham stated that Council members should put the needs and protection of the City first and put personal activism aside. Ms. Guy shared this sentiment. The item will remain on the agenda.

2020 COTW Schedule/Meeting Schedules

The March COTW meeting is 3/30. City Council meetings will begin at 7:00 p.m. starting in April. The City Council meeting in December, 2020 will be moved to December 14.

I-75/Millsdale Discussion

Mr. O'Reilly provided a handout regarding the future exit from I-75 south onto Wayne Avenue that will also allow traffic to turn locally onto Millsdale in Lockland, continuing on into Wyoming. He asked for the following items to be noted in the minutes: the exit will be likely replaced in 2023-2024; due to environmental issues in the area, the current location is the final siting for the exit; Wyoming lacks the authority over this siting and has no control over the railroad crossing; Wyoming hopes Lockland and Hartwell will persuade exiting traffic to head west into Wyoming; this local traffic will turn right onto Burns Avenue and then left onto Mills Avenue; truck traffic will rapidly diminish home value on Burns and Mills; there is no warrant nor funding for a traffic signal at Burns and Mills Avenue, Hartwell will not expend funds to eliminate the railroad crossing. Mr. O'Reilly stated these are the options for this issue: 1. Do nothing; 2. Dedicate police presence to enforce a posted "no right turn" onto Burns Avenue from Millsdale; 3. Place a physical barrier at Burns to prevent traffic from turning north. Mr. O'Reilly welcomed other ideas on the matter. Ms. Averett asked if he had considered the residents of Hartwell that would have all of this traffic. Mr. O'Reilly stated that Hartwell residents are not engaged and historically had not been. Mr. Delgado asked if there are current traffic projections on Millsdale and Mr. O'Reilly said

there was not. Ms. Tetley asked about the residents of Wyoming who live on Mills that want to access the community. Mr. O'Reilly stated they could turn south on Burns and take Hereford to Springfield Pike.

Miscellaneous

Nothing

Adjourn

The meeting adjourned at 8:28 p.m.

Approved:

Thaddeus Hoffmeister, Mayor